## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

EVAN P. GILBERTSON,

CV 08-6268-MA

Plaintiff,

JUDGMENT

v.

MICHAEL J. ASTRUE, Commissioner of Social Security,

Defendant.

Based on the record and the Opinion and order filed herewith, IT IS ORDERED AND ADJUDGED that the decision of the Commissioner is REVERSED and this matter is REMANDED for an immediate award of benefits to the plaintiff.

DATED this 22 day of October, 2009.

/s/ Malcolm F. Marsh
Malcolm F. Marsh
United States District Judge